

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation)
Against:)**

Mary Ellen Becker, M.D.)

Case No. 800-2016-026051

**Physician's and Surgeon's)
Certificate No. A 79433)**

**Respondent)
_____)**

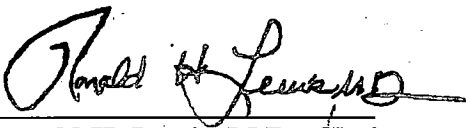
DECISION

The attached Stipulated Settlement and Disciplinary order for Public Reprimand is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on February 21, 2018.

IT IS SO ORDERED January 22, 2018.

MEDICAL BOARD OF CALIFORNIA

By: 

**Ronald H. Lewis, M.D., Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 JANE ZACK SIMON
Supervising Deputy Attorney General
3 JOSHUA M. TEMPLET
Deputy Attorney General
4 State Bar No. 267098
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5529
6 Facsimile: (415) 703-5480
Attorneys for Complainant

7
8 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

11 **MARY ELLEN BECKER, M.D.**
12 **Denver Health Medical Center**
13 **777 Bannock Street**
Denver, CO 80204

14 **Physician's and Surgeon's Certificate No.**
15 **A79433**

16 Respondent.

Case No. 800-2016-026051

OAH No. 2017080017

STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER FOR PUBLIC
REPRIMAND

17
18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Kimberly Kirchmeyer (Complainant) is the Executive Director of the Medical Board
22 of California (Board). She brought this action solely in her official capacity and is represented in
23 this matter by Xavier Becerra, Attorney General of the State of California, by Joshua M. Templet,
24 Deputy Attorney General.

25 2. The Respondent MARY ELLEN BECKER, M.D. (Respondent) is representing
26 herself in this proceeding and has chosen not to exercise her right to be represented by counsel.

27 3. On or about June 12, 2002, the Board issued Physician's and Surgeon's Certificate
28 No. A79433 to the Respondent. The certificate will expire on June 30, 2018, unless renewed.

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9. The Respondent agrees that her Physician's and Surgeon's Certificate is subject to discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order for Public Reprimand below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Medical Board of California. The Respondent understands and agrees that counsel for the Complainant and the staff of the Medical Board of California may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by the Respondent. By signing the stipulation, the Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that Portable Document Format (PDF) and facsimile copies of this Stipulated Settlement and Disciplinary Order for Public Reprimand, including PDF and facsimile signatures thereto, shall have the same force and effect as the originals.

12. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order for Public Reprimand:

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1 **DISCIPLINARY ORDER**

2 **Public Reprimand**

3 IT IS HEREBY ORDERED that the Respondent Mary Ellen Becker, M.D., holder of
4 Physician's and Surgeon's Certificate No. A79433, shall be and hereby is publicly reprimanded
5 pursuant to Business and Professions Code section 2227. This Public Reprimand is issued as a
6 result of the following conduct by the Respondent as set forth in Accusation No. 800-2016-
7 026051:

8 The Respondent was disciplined by the Colorado Medical Board as a result of her
9 failure to respond to a complaint issued by that board against her.

10 **ACCEPTANCE**

11 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
12 stipulation and the effect it will have on my Physician's and Surgeon's Certificate. I enter into this
13 Stipulated Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree
14 to be bound by the Decision and Order of the Medical Board of California.

15
16 DATED: 11/29/2017 Mary Ellen Becker, MD
17 MARY ELLEN BECKER, M.D.
18 Respondent

19 **ENDORSEMENT**

20 The foregoing Stipulated Settlement and Disciplinary Order for Public Reprimand is hereby
21 respectfully submitted for consideration by the Medical Board of California.

22 Dated: 12/3/2017

23 Respectfully submitted,
24 XAVIER BECERRA
25 Attorney General of California
26 JANE ZACK SIMON
27 Supervising Deputy Attorney General

28 JOSHUA M. TEMPLET
Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 800-2016-026051

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Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 800-2016-026051

Mary Ellen Becker, M.D.
Denver Health Medical Center
777 Bannock Street
Denver, CO 80204

ACCUSATION

Physician's and Surgeon's Certificate
No. A79433,

Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer (Complainant) brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs (Board).

2. On or about June 12, 2002, the Medical Board issued Physician's and Surgeon's Certificate Number A79433 to Mary Ellen Becker, M.D. (Respondent). The Physician's and Surgeon's Certificate was in full force and effect at all times relevant to the charges brought herein. The certificate expired on June 30, 2016 and is therefore delinquent.

///

JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2004 provides that the Board shall have the responsibility for the enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

5. Section 2227 provides that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

6. Section 2234 states:

The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

....

7. Section 141 states:

(a) For any licensee holding a license issued by a board under the jurisdiction of the department, a disciplinary action taken by another state, by any agency of the federal government, or by another country for any act substantially related to the practice regulated by the California license, may be a ground for disciplinary action by the respective state licensing board. A certified copy of the record of the disciplinary action taken against the licensee by another state, an agency of the federal government, or another country shall be conclusive evidence of the events related therein.

(b) Nothing in this section shall preclude a board from applying a specific statutory provision in the licensing act administered by that board that provides for discipline based upon a disciplinary action taken against the licensee by another state, an agency of the federal government, or another country.

8. Section 2305 states:

The revocation, suspension, or other discipline, restriction, or limitation imposed by another state upon a license or certificate to practice medicine issued by that state, or the revocation, suspension, or restriction of the authority to practice medicine by any agency of the federal government, that would have been grounds for discipline in California of a licensee under this chapter, shall constitute grounds for disciplinary action for unprofessional conduct against the licensee in this state.

1 **CAUSE FOR DISCIPLINE**

2 **(Discipline Imposed by another State)**

3 9. On August 17, 2016, the Colorado Medical Board (Colorado Board) took disciplinary
4 action against Respondent based on her failure to respond to a complaint issued by the Colorado
5 Board against her. Respondent's conduct violated Colorado law and was found by the Colorado
6 Board to constitute unprofessional conduct.

7 10. Respondent's conduct and the action of the Colorado Board as set forth above
8 constitute unprofessional conduct within the meaning of section 2305 and conduct subject to
9 discipline within the meaning of section 141(a).

10 **PRAYER**

11 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
12 and that following the hearing, the Medical Board of California issue a decision:


13 1. Revoking or suspending Physician's and Surgeon's Certificate Number A79433,
14 issued to Mary Ellen Becker, M.D.;

15 2. Revoking, suspending or denying approval of Mary Ellen Becker, M.D.'s authority to
16 supervise physician assistants and advanced practice nurses;

17 3. Ordering Mary Ellen Becker, M.D., if placed on probation, to pay the Board the costs
18 of probation monitoring; and

19 4. Taking such other and further action as deemed necessary and proper.

20
21 DATED: June 29, 2017


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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Exhibit A

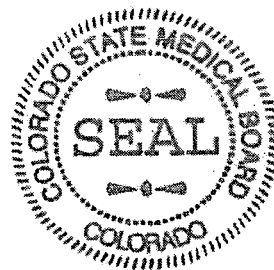


COLORADO

Department of
Regulatory Agencies

Division of Professions and Occupations

Healthcare Branch
Colorado Medical Board



VIA CERTIFIED MAIL

August 17, 2016

Case No. 2016-979-A

Mary E. Becker, M.D.

Dear Dr. Becker:

Inquiry Panel A ("Panel") of the Colorado Medical Board ("Board") has concluded its inquiry regarding your conduct as a licensed physician. It was the Panel's decision not to commence with formal proceedings against your license to practice medicine. However, the Panel did vote to administer disciplinary action to you in the form of this letter of admonition.

It is a violation of section 12-36-117(1)(gg), of the Colorado Revised Statutes ("C.R.S.") to fail to respond in a timely manner to a complaint issued by the Board. A complaint letter was emailed, and mailed via U.S. mail to you at your electronic and mailing addresses of record on February 29, 2016 and March 25, 2016. No response has been received.

The Panel found that your failure to reply to this complaint violated section 12-36-117(1)(gg), C.R.S., thereby constituting unprofessional conduct. Finally, your failure to respond to this complaint left the Panel unable to dispel concerns raised regarding your conduct. Thus, without information to the contrary, the Panel must assume that the allegations raised in the complaint may have merit, and the Panel reserves the right to address these issues in the future.

By this letter, the Panel hereby admonishes you and cautions you that complaints disclosing any repetition of such practice may lead to the commencement of formal disciplinary proceedings against



Mary E. Becker, M.D.
Case No. 2016-979-A
August 17, 2016
Page Two

your license to practice medicine, wherein this letter of admonition may be entered into evidence as aggravation.

You are advised that it is your right to have this case reviewed in an administrative proceeding. To do so, you must submit a written request within twenty (20) days after receipt of this letter. In your request, you must clearly ask that formal disciplinary proceedings be initiated against you to adjudicate the propriety of the conduct upon which this letter of admonition is based. If such request is timely made, this letter of admonition will be deemed vacated, and the matter will be processed by means of a formal complaint and hearing. This is in accordance with the provisions of the Medical Practice Act governing the discipline of licensed physicians.

Sincerely,

FOR THE COLORADO MEDICAL BOARD
INQUIRY PANEL A

Brock M. Bordenon, M.D.
Chair

BMB/lej

